Murder Conspiracy Denied by Oswald's Killer

Jack Ruby's Last Days: Lucid

By BERNARD GAVZER

DALLAS, Tex., Jan. 3 (AP).—Jack Ruby denied it to the edge of death.

But even his family couldn't help asking, because so many other people seemed to be asking, whether he really acted alone, and not as part of a conspiracy, to kill the assassin of President John F. Kennedy.

And so, near the end, Earl Ruby asked his brother again, as he had many times before:

"Are you sure, Jack, there was nothing else?"

And Jack Ruby answered, says his brother:

"I'm not hiding anything. I'm not protecting anybody. There is nothing to hide, no one to protect. Believe me."

As he lay in his guarded room in Parkland Memorial Hospital, stricken with cancer, Jack Ruby often seemed to be begging the world to believe he would take no secrets to the grave.

He also was tormented by hallucinations in which he imagined that millions of American Jews were being slain in a pogrom as punishment because he, a Jew, silenced the killer of a President.

Ruby could be rational on certain levels and wholly irrational on others, according to those closest to him. For example, he might be watching a football game on television and something would touch him off—like a penalty against a player. Worse is being done to the Jews, he would say.

Ruby insisted that he alone, without plan or prompting, shot Lee Harvey Oswald.

He swore also that rumors of secret meetings relating to the President's assassination, the killing of Dallas Policeman J. D. Tippit and the slaying of Oswald, were lies invented by beasts.

These details of Ruby's last days came from his brother, Earl, a Detroit businessman; Elmer Gertz, a Chicago lawyer prominent on the legal team that won reversal of the death sentence given to Ruby in 1964, and, through them, from other members of the family.

The Ruby murder trial and the Warren Commission report supported conclusions that Ruby acted alone in shooting of Oswald—a shooting that was witnessed by a television audience of millions of Americans on Sunday, Nov. 24, 1963.

But a roiling controversy about the Warren Report has produced various theories of conspiracies — some of which give Ruby a hidden role. However, Gertz said:

"He simply could not conceive that people could not see that he not only acted alone but that they could take this and twist it into a premise for giving him a role in a plot against the President, a man he worshiped."

Jack Ruby sought no forgiveness for shooting Oswald, Gertz explained:

"I don't think Jack mentioned

Moments, Dark Phobias

his name more than a few times in the many times I saw him, and then it was as if Oswald was a figure beyond his comprehension. Jack saw himself as a kind of instrument. He did not have the delusion that God told him to do it, or that he was an instrument of any people, but that it happened without his conscious will."

But Jack Ruby sought forgiveness from America's Jews. He was convinced that his crime had triggered a progrom in which Jews were being transported to Dallas and tortured to death in the basement of the Dallas county jail.

"That is not true, Jack. It is not true," Earl told him. And so did many others who he ordinarily trusted.

"Don't tell me! Don't tell me! I hear them screaming from the basement every night."

Jack Ruby also complained that his cancer was induced secretly in jail. When he experienced difficulty in breathing early in December and was taken to the hospital, it was thought that he had pneumonia. He took this as proof that mustard gas was seeped into his cell. When his condition was diagnosed as cancer, he was certain it had been injected into him.

However, his family praised the treatment Ruby received in Parkland, although they complained that his condition had been neglected or brushed off as "hamming it up" in jail.

Ruby spent his last day in a large private room which had one wall dominated by a wide window. A nurse and two deputy sheriffs were always on duty. Ruby spent hours watching television, especially football games.

On Saturday afternoon, Dec. 17, he felt so good he motioned for his sister, Eileen, to come to his side.

"Eileen, do me a favor," he asked.

He handed her a list for pastrami, corned beef, kosher dill pickles, rye bread, lox, cream cheese, green onions, bagles.

"The doctors didn't object," said Gertz. "Of course, Jack couldn't hold that food down, but to deny it to him would be like denying a condemned man his least meal."

Near the end his mood — according to the family—changed to one of 'black despair."

And he whispered that he didn't want to die far from home. Home, for Jack Ruby, was Chicago, the city of his birth.

'GENEROUS MAN

To his brothers and sisters, Jack Ruby was to the end, a "fine, sympathetic, generous man."

Though they were convinced his shooting of Oswald was an impulsive act and that Jack did it entirely alone, they too, were confused by all the rumors and arguments. During such fleeting moments of doubt, they would ask if there were any others who might also have been re-

sponsible.

Attorney Gertz and Earl Ruby said Jack was fully aware of the controversary about the Warren Report.

"He knew of the incredible constructions by various critics in which it was hinted that there were secret meetings, that Jack might have had connections with Oswald, or with J. D. Tippit (the police officer Oswald also was accused of killing)," Gertz said.

BROAD DISCLAIMER

One day in December, Gertz asked Ruby: "Jack, tell me, did you know Tippit? People keep on saying you knew him."

"First of all," Ruby said, "there were three Tippits on the police department. The one who was shot I never knew, never heard of. One of the other Tippits I knew."

"What about Oswald? Was he ever in your night club, did you ever meet him or see him?"

("The first time I ever saw Oswald was in the jail after he was arrested.) I never saw him in my club and I never met him before in my life," Ruby said.

A few weeks after Ruby was found to have cancer, he expressed a wish to take a lie detector test to prove that all he said was true. His worsening condition precluded such a test.

DATA INCONCLUSIVE

He had received such a test from representatives of the Warren Commission on July 18, 1964. No interpretation of that test was made, on the ground that the results were questionable because of Ruby's emotional condition.

Ruby, a strip-tease club operator who generally viewed accomplished and cultured people as inhabitants of a remote world, had an uncharacteristic reaction to a meeting with U. S. Chief Justice Earl Warren on June 7, 1964.

During the interview, according to Attorney Gertz, Warren asked Ruby to read something.

"I can't. I don't have my glasses," Ruby replied.

Warren removed his spectacles and handed them over. Ruby then read the passage without difficulty.

WARREN 'SO NAIVE'

Months later, Gertz asked Ruby what he thought of the Chief Justice.

"Oh, he's such a wonderful man," Ruby answered, and then, added confidentially, "but he's so naive."

Gertz said, "I asked him, 'Why do you say that?' And all he did was shrug his shoulders."

Transcripts of the Warren interview show Ruby repeatedly saying he had more to tell, but that he would have to be taken from Dallas. He wanted to go to Washington. One critic of the Warren Report, Mark Lane has implied something sinister in the fact that Ruby was not taken from Dallas.

'JACK CONFABULATED'

"The things he said to me in utmost secrecy were things that could be said anywhere, Dallas or Washington," Gertz said. "I could not enter his mind, but I am certain to my satisfaction that there was no more to tell. Jack confabulated. He tried to insinuate knowledge.

"For example, when he shot Oswald, he was in a blackout. He knew he shot Oswald, but he had no real memory of the experience. The same thing is true about his explanation of why he shot Oswald. He said he did it because he wanted to spare Jacqueline Kennedy the ordeal of having to come back to Dallas for a trial.

"That was something he confabulated (wandering, under emotional pressure). It offended his pride to be called insane, so what he attempted to do is show that he knew from memory details about something when indeed it was something he learned about later."

VAGUE ON IMPACT

Was Ruby aware of the calamity he caused history by shooting Oswald?

"As for the impact on history, that was much too sophisticated a concept for him," said Gertz. "It really did not register in any meaningful way with him."

Until he fell ill of cancer, Ruby's lawyers planned a defense that they were convinced would have spared him the electric chair and perhaps set him free.

Their opinion was that Ruby would be found guilty of murder without malice and possibly receive as punishment a one-year suspended sentence.

Gertz, who like the other lawyers served without fee, was asked:

Was he satisfied that Ruby died telling the truth?

"Yes," he said.